

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA	§	
	§	
vs.	§	Case No. 4:11cr86
	§	(Judge Crone)
VIMAL JAIPRAKISH PATEL (3)	§	

REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE

Pending before the Court is the request for revocation of Defendant's supervised release. After the District Judge referred the matter to this Court for a report and recommendation, the Court conducted a hearing on July 22, 2014, to determine whether Defendant violated his supervised release.

On January 5, 2012, Defendant was sentenced by the Honorable Marcia A. Crone to thirty-seven months' custody followed by two years of supervised release for the offense of Conspiracy to Distribute or Dispense of Possess with Intent to Distribute or Dispense Heroin. On July 26, 2013, Defendant completed his period of imprisonment and began service of his supervised term.

On May 14, 2014, the U.S. Probation Officer executed a Petition for Warrant for Offender Under Supervision. The petition asserted that Defendant violated several mandatory, standard, and special conditions. The Government moved to dismiss allegations three and four.

Prior to the Government putting on its case, Defendant entered a plea of true violation allegations one and two. The Court recommends that Defendant's supervised release be revoked.

RECOMMENDATION

The Court recommends that the District Judge revoke Defendant's supervised release. Pursuant to the Sentencing Reform Act of 1984, the Court recommends that Defendant be committed

to the custody of the Bureau of Prisons to be imprisoned for a term of seven (7) months with no supervised release to follow.

It is also recommended that Defendant be housed in the Bureau of Prisons, Texarkana Unit.

After the Court announced the recommended sentence, Defendant executed the consent to revocation of supervised release and waiver of right to be present and speak at sentencing. Defendant and the Government also waived their right to file objections.

SIGNED this 24th day of July, 2014.



AMOS L. MAZZANT
UNITED STATES MAGISTRATE JUDGE